

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  IOWA NETWORK SERVICES, INC.	DOCKET NO. SPU-03-11
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**REVISED NOTICE OF HEARING**

(Issued July 23, 2003)

On July 7, 2003, Iowa Network Services, Inc. (INS), filed a request for immediate disconnection of OneStar Long Distance, Inc. (OneStar). OneStar purchases originating interstate and intrastate Centralized Equal Access services from INS to provide service to its own customers.

INS alleges that as of July 7, 2003, OneStar owes INS for billings equivalent to three and one-half months of service. It further alleges that in February 2003, OneStar entered into a payment arrangement with INS and is now in default of this payment arrangement. INS alleges that it has repeatedly requested payment from OneStar and these requests remain unanswered. INS also alleges that on July 7, 2003, it delivered a demand for immediate payment and deposit demand to OneStar and that neither the requested delinquent amount nor the requested deposit has been paid. INS provided a notice of termination to OneStar in the demand letter.

INS requests permission from the Board to disconnect OneStar pursuant to Iowa Code § 476.20 (2003) and its tariff. INS further requests the Board to issue an expedited order confirming that INS has basis to reasonably believe that the prospect

of due and punctual payment for the services of INS is impaired and that INS has provided sufficient notice of its demand for deposit and intent to disconnect access services upon nonpayment of the deposit. INS requests the Board issue an expedited order authorizing INS to discontinue access service to OneStar after July 13, 2003.

On July 16, 2003, the Board issued an order in which it found that INS had provided sufficient information so that an immediate hearing should be set, assigned the case to the undersigned administrative law judge, and set the hearing for July 24, 2003. A link to the Board's orders is on the Board's website at [www.state.ia.us/iub](http://www.state.ia.us/iub). Unfortunately, OneStar was not served with the notice of hearing. Therefore, the hearing for this case must be rescheduled as set forth below.

At the hearing, INS must be prepared to provide evidence to support the information already provided in its request for immediate disconnection. At the hearing, OneStar must be prepared to respond to the allegations and show why it should not be immediately disconnected. OneStar must also file a current list of its Iowa customers with the Board on or before the date of the hearing.

The issue in this case is whether INS's request for immediate disconnection should be granted. The Board has jurisdiction of the parties and subject matter pursuant to Iowa Code chapter 476 and the Board's rules at 199 IAC 22. Conduct of the case is governed by Iowa Code Chapters 17A and 476 and by Board rules at

199 IAC Chapters 1, 7, and 22. Links to the Iowa Code and the Board rules are on the Board's website at [www.state.ia.us/iub](http://www.state.ia.us/iub).

The parties are hereby notified that pursuant to Iowa Code § 17A.12(3), if a party fails to appear or participate in the hearing, the administrative law judge may enter a default decision or proceed with the hearing and make a decision in the absence of the party.

**IT IS THEREFORE ORDERED:**

1. A public hearing for the presentation of evidence and the cross-examination of witnesses concerning the issues identified in this notice of hearing will be held beginning at 10 a.m. on Thursday, July 31, 2003, in the Board hearing room, 350 Maple Street, Des Moines, Iowa. Persons with disabilities who will require assistive services or devices to observe this hearing or participate in it should contact the Board at (515) 281-5256 no later than July 28, 2003, to request that appropriate arrangements be made.
2. On or before the date of the hearing, OneStar must file a current list of its Iowa customers with the Board.
3. A copy of this order, the Board's order issued July 16, 2003, and INS's request for immediate disconnection of OneStar Long Distance filed July 7, 2003 (including attached exhibit A), will be served by regular U.S. mail on OneStar. In addition, a copy of this order and INS's request for immediate disconnection (including attached Exhibit A) will be faxed to Ms. Ami M. Larrison, Director of

Regulatory Affairs, OneStar Communications, LLC at 812-437-7988, the contact person identified by OneStar on its Telecommunications Service Provider Registration filed July 12, 2001. In addition, a copy of this order will be emailed to Ms. Larrison at [alarrison@onestarld.com](mailto:alarrison@onestarld.com), and to Ms. Deanne Roberts, the contact person identified by INS in Exhibit A attached to its request for immediate disconnection, at [droberts@onestarld.com](mailto:droberts@onestarld.com).

4. A copy of this order will be sent by regular U.S. mail to INS, and will be hand delivered to the Consumer Advocate Division of the Department of Justice.

**UTILITIES BOARD**

/s/ Amy L. Christensen

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

Dated at Des Moines, Iowa, this 23<sup>rd</sup> day of July, 2003.